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11 *Servicing, LP and Carrington Mortgage Services*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 RJRN HOLDINGS LLC,

15 Plaintiff,

16 vs.

17 RHONDA DAVIS; BAC HOME LOANS
18 SERVICING, LP, FKA COUNTRYWIDE
19 HOME LOANS SERVICING, LP;
20 CARRINGTON MORTGAGE SERVICES;
21 HACIENDA NORTH HOMEOWNERS'
22 ASSOCIATION; and DOES 1 through 10,
23 inclusive; ROE CORPORATIONS 1 through
24 10, inclusive,

25 Defendants.

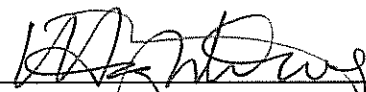
Case No.: 2:15-cv-01257-JCM-NJK

**SUPPLEMENT TO PETITION FOR
REMOVAL**

26 Please find as Exhibit 1 the Complaint for Quiet Title that was filed in District Court
27 Case A-15-720000-C on June 16, 2015 in the Eighth Judicial District Court as Supplement to the
28 Petition for Removal filed on July 2, 2015.

DATED this 6th day of July, 2015.

WRIGHT, FINLAY & ZAK, LLP

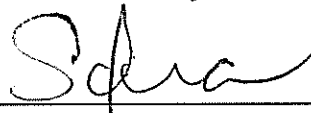

Victoria L. Hightower, Esq.
Nevada Bar No. 10897

Attorneys for Defendants, BAC Home Loans
Servicing, LP fka Countrywide Home Loans
Servicing, LP and Carrington Mortgage Services

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I am an employee of WRIGHT, FINLAY & ZAK, LLP; that service of the foregoing **SUPPLEMENT TO PETITION FOR REMOVAL** was made on the 10th day of July, 2015, by depositing a true copy of same in the United States Mail, at Las Vegas, Nevada, addressed as follows:

Michael Beede, Esq.
2300 W. Sahara Ave. #420
Las Vegas, NV 89102
Attorney for Plaintiff

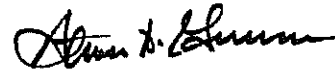


An Employee of WRIGHT, FINLAY & ZAK, LLP

Exhibit 1

Exhibit 1

Exhibit 1



CLERK OF THE COURT

COMP

MICHAEL N. BEEDE, ESQ.

Nevada State Bar No. 13068

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Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

RJRN HOLDINGS LLC,

Plaintiff,

vs.

CASE NO. A-15-720000-C

DEPT NO. XXXII

RHONDA DAVIS; BAC HOME LOANS
SERVICING, LP, FKA COUNTRYWIDE
HOME LOANS SERVICING, LP;
CARRINGTON MORTGAGE SERVICES;
HACIENDA NORTH HOMEOWNERS'
ASSOCIATION; and DOES 1 through 10,
inclusive; ROE CORPORATIONS 1 through
10, inclusive,

Defendants,

COMPLAINT: QUIET TITLE**EXEMPTION FROM ARBITRATION:**

Title to real property

COMES NOW, RJRN HOLDINGS LLC, by and through its attorney, Michael N. Beede,
Esq., and hereby complain and allege against the above-named Defendants as follows:

PARTIES, JURISDICTION AND VENUE

1. This action relates to the ownership and title to certain residential real property located in Clark County, Nevada commonly known as 5234 Fire Night Ave., Las Vegas NV 89122 and bearing Clark County Assessor's Parcel Number 161-28-316-025 (the "property"). Accordingly, jurisdiction and venue are appropriate in Clark County, Nevada.
2. Plaintiff, RJRN HOLDINGS LLC, is a resident of Clark County, Nevada and is the record owner of the Property.

3. Upon information and belief, Defendant, RHONDA DAVIS, is a resident of Clark County, Nevada and was the owner of the Property prior to the issuance of a foreclosure deed to Rex Archambault on April 17, 2012.
4. Upon information and belief, Defendant Hacienda North Homeowners' Association is a non-profit corporation in Clark County, Nevada that holds an interest in the Property through the Declaration of Covenants, Conditions and Restrictions adopted by same.
5. Upon information and belief, Defendant BAC Home Loans Servicing, LP, FKA Countrywide Home Loans Servicing, LP (hereafter, "BAC") is a partnership doing business in Clark County, Nevada.
6. Upon information and belief, Defendant Carrington Mortgage Services, LLC is a limited liability company doing business in Clark County, Nevada.
7. The true names and capacities, whether individual, corporate, associate or otherwise, of Does 1 through 10, inclusive, and Roe Business entities 1 through 10, inclusive, are unknown to the Plaintiff at this time. Plaintiff therefore sues said Does and Roes by said names, as Plaintiff believes that said Does and/or Roes are in some way responsible for some or all of Plaintiff's damages set forth herein. Plaintiff will request leave of this Court to amend its Complaint when such names and identities become known to it.
8. Jurisdiction and venue are proper in this Court because this action concerns real property located in the County of Clark, State of Nevada, and the facts, acts, events and circumstances herein mentioned, alleged and described occurred in the County of Clark, State of Nevada.

GENERAL ALLEGATIONS

9. The Property is located at 5234 Fire Night Ave., Las Vegas NV 89122, bearing Clark County Assessor's Parcel Number 161-28-316-025, and the legal description of: HACIENDA NORTH-PHASE 4 PLAT BOOK 125, PAGE 31, LOT 45 Clark County.

10. Plaintiff's predecessor in interest, Rex Archambault, obtained title to the Property by way of Trustee's deed upon sale, recorded on April 18, 2012.
11. Plaintiff obtained title to the Property by way of Quitclaim deed, recorded on February 10, 2014.
12. Upon information and belief, each of the defendants was noticed by Absolute Collection Services, LLC which complied with all relevant portions of NRS 116. A copy of the Notice of Foreclosure Sale was recorded on 11/10/2011.
13. Plaintiff's predecessor in interest, Rex Archambault's title stems from a Trustee's deed upon sale arising from a delinquency in assessments due from the former owner, RHONDA DAVIS, to the Hacienda North Homeowners' Association pursuant to NRS Chapter 116.
14. Plaintiff took title to the Property free and clear of all junior liens and encumbrances affecting title to the Property, including any Deed of Trust, any assessments or other fees claimed by Hacienda North Homeowners' Association accruing prior to the date of the Deed, and any claim to title of the Property that may be asserted to by Defendants.
15. Notwithstanding the recording of the Deed on April 18, 2012, Plaintiff is informed and believes that BAC claims to continue to hold an interest in the Property superior to that of Plaintiff's by virtue of its purported Deed of Trust.
16. Plaintiff is informed and believes RHONDA DAVIS granted a deed of trust in favor of Pulte Mortgage LLC, naming Mortgage Electronic Registration Systems, Inc. as beneficiary, which was recorded with the Clark County Recorder on January 6, 2009
17. On August 11, 2010, a corporate assignment of the aforementioned deed of trust was recorded which purported to transfer the beneficial interest thereof from Pulte Mortgage LLC to BAC.
18. Plaintiff is informed and believes that Hacienda North Homeowners' Association claims a lien upon the Property for assessments accruing pursuant to the CC&Rs in an amount of excess of that to which Hacienda North Homeowners' Association may be entitled to pursuant to NRS 116.3116.

1 19. Plaintiff is informed and believes that Carrington Mortgage Services, LLC filed a
2 Request for Notifications of Default, recorded on December 4, 2014, which is the
3 only evidence of any claim to interest Carrington Mortgage Services may have in the
4 property.

5 20. The claims to title of the Property asserted by each defendant conflict with Plaintiff's
6 claim to title and constitute a cloud upon title.

7 21. The interest of each of the defendants, if any, has been extinguished by reason of the
8 foreclosure sale, which was properly conducted with adequate notice given to all
9 persons and entities claiming a recorded interest in the subject property, and resulting
10 from a delinquency in assessments due from the former owner, to Hacienda North
11 Homeowners' Association, pursuant to NRS Chapter 116 and *SFR Invs. Pool 1, LLC*
12 *v. U.S. Bank, N.A.*, 334 P.3d 408 (2014).

13 22. Therefore, Plaintiff brings the instant action to quiet all claims against all known
14 persons and/or entities claiming legal or equitable interests in the Property.

15 **FIRST CLAIM FOR RELIEF ACTION**

16 **(Declaratory Relief/Quiet Title Pursuant to NRS 30.010, et. Seq. and NRS 116,**
17 **et. seq.)**

18 23. Plaintiff incorporates each and every of the preceding paragraphs as if fully set forth
19 herein.

20 24. Pursuant to NRS 30.030, et seq. and NRS 40.010, this Court has the power and
21 authority to declare Plaintiff's rights and interests in the Property and to resolve the
22 Defendants' adverse claims to the Property.

23 25. Plaintiff's predecessor in interest, Rex Archambault acquired the Property by
24 successfully bidding on the Property at a public sale held on April 17, 2012 in
25 accordance with NRS Chapter 116, and became the rightful owner of the Property by
26 virtue of the Trustee's Deed Upon Sale.

27 26. Plaintiff acquired the Property through execution of the quitclaim deed, as recorded
28 on February 10, 2014, and is the rightful owner of the Property by virtue of said
quitclaim deed.

1 27. Upon information and belief, the Defendants herein assert claims to the Property
2 adverse to that of the Plaintiff's.

3 28. Plaintiff is entitled to a declaratory judgment from this court finding that: (1) Plaintiff
4 owns the Property in fee simple free and clear of any interest in the Property claimed
5 by any and all Defendants; (2) the Deed is valid and enforceable; (3) the conveyance
6 of the Property to Plaintiff's predecessor in interest, Rex Archambault through the
7 Trustee's Deed Upon Sale extinguished Defendants' security and/or ownership
8 interests in the Property; (4) any attempt to transfer of title to the Property through a
9 non-judicial foreclosure sale pursuant to the Deed of Trust would be invalid; and (5)
10 Plaintiff's rights and interest in the Property are superior to any adverse interests
11 claimed by Defendants.

12 29. Plaintiff seeks an Order from the Court quieting title to the Property in favor of the
13 Plaintiff.

14 **SECOND CLAIM FOR RELIEF**

15 **(Preliminary and Permanent Injunction against all defendants)**

16 30. Plaintiff incorporates each and every of the preceding paragraphs as if fully set forth
17 herein.

18 31. Plaintiff's predecessor in interest, Rex Archambault acquired the Property by
19 successfully bidding on the Property at a public sale held on April 17, 2012 in
20 accordance with NRS Chapter 116, and became the rightful owner of the Property by
21 virtue of the Trustee's Deed Upon Sale.

22 32. Plaintiff acquired the Property through execution of the quitclaim deed, as recorded
23 on February 10, 2014, and is the rightful owner of the Property by virtue of said
24 quitclaim deed.

25 33. Notwithstanding the conveyance of the Property to Plaintiff, Defendants continue to
26 claim adverse interests in the Property through the Deed of Trust.

27 34. Plaintiff is informed and believes that BAC may improperly attempt to complete a
28 non-judicial foreclosure sale of the Property under the Deed of Trust pursuant to NRS

Chapter 107.080, et seq. despite the fact that Plaintiff holds a superior interest in the Property.

35. Plaintiff is informed and believes that Carrington Mortgage Services, LLC may improperly attempt to complete a non-judicial foreclosure sale of the Property under the Deed of Trust pursuant to NRS Chapter 107.080, et seq. despite the fact that Plaintiff holds a superior interest in the Property.

36. Plaintiff is entitled to a preliminary injunction and permanent injunction prohibiting all defendants from initiating or attempting to complete any foreclosure proceeding under the Deed of Trust or otherwise attempting to transfer title to the Property thereunder.

THIRD CLAIM FOR RELIEF

(Slander to Title)

37. Plaintiff incorporates each and every of the preceding paragraphs as if fully set forth herein.

38. Defendants have made false assertions affecting the title to The Property. Namely, BAC and Carrington Mortgage Services, LLC have made adverse claims that conflict with Plaintiff's claim to title and constitute a cloud upon title.

39. Defendants have made these claims, despite knowing that Plaintiff's interest in the Property is superior to Defendants' purported interests, which were extinguished by operation of law.

40. As a direct and natural result of Defendants' actions, Defendants have forced Plaintiff to file the instant Complaint, which has caused Plaintiff to incur special damages, including attorney's fees and costs.

41. As such, Plaintiff is entitled to an award of attorney's fees and costs, as well as any other special damages Plaintiff suffers, as a result of Defendants actions herein.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief as follows:

1. For a determination and declaration that Plaintiff is the rightful owner of title to the Property, free and clear of all claims of the Defendants;
2. For an award of special damages, including reasonable attorneys' fees;
3. For court costs incurred;
4. For a preliminary and permanent injunction prohibiting all defendants from initiating or continuing foreclosure proceedings or otherwise attempting to transfer title to the Property;
5. For such other and further relief as the Court deems just and proper.

DATED this 16 day of June, 2015.

THE LAW OFFICE OF MIKE BEEDE, PLLC

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